

Applicant: GATTO
Serial No: 09/722,050
Filing Date: November 27, 2000
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REMARKS

In response to the Final Office Action mailed March 21, 2007 (hereinafter "Final Action"), claim 1 has been amended. No claims have been cancelled or newly added. Therefore, claims 1-38 remain pending. Support for the instant amendment is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

INFORMATION DISCLOSURE STATEMENT

A. In the Final Action, at pg. 2, ¶1, the Examiner alleges that the *"office has no record of IDS submitted by the applicants on May 2, 2001."* Applicant notes that a "Resubmission of Information Disclosure Statement" was filed in the instant application on April 10, 2006, providing evidence of the submission of the May 2, 2001 IDS. The Examiner has, in fact, already considered this information Disclosure Statement as evidenced by the signed and initialed copy of the PTO-1449 Form returned with the Office Action mailed June 28, 2006. Applicant has attached, in **APPENDIX A**, both a copy of the April 10, 2006 "Resubmission of Information Disclosure Statement" and the June 28, 2006 Office Action with the signed and initialed copy of the PTO-1449 Form attached.

B. Applicant thanks the Examiner for considering the references cited in the Supplemental Information Disclosure Statement filed on **November 29, 2006**, as evidenced by the signed and initialed copy of the PTO-1449 Form returned with the Final Action.

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C. A Supplemental Information Disclosure Statement was filed by Applicant on **March 19, 2007**. Applicant respectfully requests that the Examiner consider the cited references and provide a signed copy of the Form PTO-1449 for this submission with the next Office Action.

DRAWINGS

Applicant thanks the Examiner for accepting the Replacement Drawings filed on November 28, 2006 [Final Action, pg. 2, ¶1].

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1-38 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter [Final Action, pg. 2, ¶13]. Applicant disagrees with the propriety of this rejection. However, solely in an effort to expedite prosecution, independent claim 1 has been amended, rendering the rejection moot. Accordingly, the rejection of claims 1-38 under 35 U.S.C. § 101 is legally improper and should be withdrawn.

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CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: June 21, 2007

Respectfully submitted,

By:



Bradford C. Blaise
Registration No. 47,429

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Direct Dial: 703-770-7741
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Serial No: 09/722,050
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APPENDIX A

- Copy of April 10, 2006 "Resubmission of Information Disclosure Statement"

- Copy of June 28, 2006 Office Action with the signed and initialed copy of the PTO-1449 Form attached.

Application Serial No.: 09/722,050
Attorney Docket No.: 089070-0311365



Customer No.: 00909

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Joseph G. GATTO
SERIAL NO.: 09/722,050
ATTORNEY DOCKET NO: 089070-0311365 (23449-010)
FILING DATE: November 27, 2000
ART UNIT: 3624
EXAMINER NARAYANSWAMY SUBRAMANIAN
FOR: SECURITY ANALYST ESTIMATES PERFORMANCE VIEWING SYSTEM AND METHOD

RESUBMISSION OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

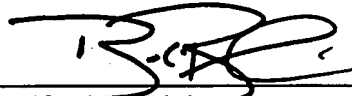
Dear Sir:

An Information Disclosure Statement (I.D.S.) was filed by Applicant on May 2, 2001. To date, however, Applicant has yet to receive a copy of the Form PTO-1449 signed by the Examiner indicating that this I.D.S. was considered. Accordingly, Applicant has provided herewith a copy of the I.D.S. (and references) submitted May 2, 2001 together with a stamped PTO Acknowledgement Receipt. It is respectfully requested the Examiner return an initialed and signed copy of the Form PTO-1449 for this submission.

Date: April 10, 2006

Respectfully submitted,

By:



Bradford C. Blaise
Registration No. 47,429

Customer No. 00909

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BOX PATENT

Client: Starmine

Client/Matter: 56351.000010

Atty: YS:dmd

Inventor: J. GATTO

U.S. Serial No.: 09/722,050

Filing Date: 11/27/00

Title: SECURITY ANALYST ESTIMATES PERFORMANCE
VIEWING SYSTEM AND METHOD

The following has been received in the U.S. Patent and Trademark
Office on the date stamped hereon.:

- (1) Information Disclosure Statement
- (2) PTO FORM 1449 (68 refs)

DATE: May 2, 2001

DOCKETED





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

Joseph G. Gatto

Serial No.: 09/722,050

Filed: November 27, 2000

For: SECURITY ANALYST ESTIMATES PERFORMANCE VIEWING SYSTEM
AND METHOD

Group Art Unit: *to be assigned*

Examiner: *to be assigned*

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant respectfully submits the following documents for the Examiner's consideration. A copy of Form PTO-1449 and copies of each of the listed documents are enclosed for the Examiner's convenience.

Applicant respectfully request that the Examiner consider the enclosed references and that the Examiner indicates that the references have been considered in this application by returning a copy of the Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.

Attorney Docket No.: 56351.000010

U.S. Serial No.: 09/722,050

Page 2

This Information Disclosure Statement is believed to be submitted before the mailing of a first Office Action. Accordingly, no fees are due. However, if any fees are incurred upon the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

By: _____


Yisun Song

Registration No. 44,487

Hunton & Williams
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500

Date: 5-2-01

	L	The Journal of Finance, Vol XLVIII, No. 2 June 1993 "Summing Up"
	M	The Journal of Finance, Vol. XLVIII, No. 2 June 1993 "Yes, Discounts on Closed-End Funds are a Sentiment Index"
	N	The Review of Financial Studies 1993, Vol. 6, No. 2 pp. 345-374 "Spreads, Depths, and the Impact of Earnings Information: An Intraday Analysis"
	O	International Journal of Forecasting, Vol. 11, No. 3 (1995) pp.361-500
	P	Financial Analysts Journal, Jan/Feb 1996
	Q	Accounting Organizations and Society, Vol. 21, No 7/8/October/November 1996
	R	Financial Analysts Journal March/April 1997
	S	Journal of Accounting & Economics Vol. 9 1987 (MSG.V. 9 No. 3)
	T	Journal of Accounting & Economics Vol. 9, No. 2 July 1987
	U	The Accounting Review Vol. 67, No. 4 October 1992
	V	Financial Analysts Journal Nov/Dec 1997
	W	The Journal of Canadian Academic Accounting Association, Vol. 14, No. 1, Spring 1997
	X	The Journal of Canadian Academic Accounting Association, Vol. 16, No. 1, Spring 1999
	Y	Journal of Accounting Research Vol. 17, No. 1 Spring 1979
	Z	International Journal of Forecasting, Vol. 9, No. 3 (1993) pp. 295-436
	A1	"A Journal of Accounting, Finance and Business Studies" Vol. 30, No. 1 March 1994
	B1	Journal of Accounting Auditing & Finance Vol. 9, No. 4 (new series) Fall 1994
	C1	The Journal of the Canadian Academic Accounting Association Vol. 11, No. 1-1 Summer 1994
	D1	The CPA Journal May 1995
	E1	International Journal of Forecasting , Vol. 12, No. 1 (1996) pp.1-192
	F1	Journal of Accounting Research Vol. 25, No. 1 Spring 1987
	G1	International Journal of Forecasting Vol. 7, No. 3 (1991) pp. 257-408
	H1	Journal of Accounting Research Col. 29, No. 2 1991
	I1	The Accounting Review Quarterly Journal of the American Accounting Association Vol. LX April 1985 No. 2
	J1	The Journal of Portfolio Management Vol. 23, No. 4 Summer 1997
	K1	Journal of Accounting Research Vol. 38, No 1 Spring 2000
	L1	The Accounting Review, Vol. 68, No. 3, July 1993
	M1	Journal of Accounting Research Vol. 17, No. 2 Autumn 1979
	N1	Journal of Business Finance & Accounting, Vol. 19, No. 4 June 1992
	O1	Journal of Accounting Research Vol. 23, No. 1 Spring 1985
	P1	The Journal of the Canadian Academic Accounting Association, Vol. 14, No. 2 Summer 1997
	Q1	The Journal of Finance, Vol. 46, No. 1 March 1991
	R1	Accounting Horizons, Vol. 11, No. 4 December 1997
	S1	Accounting Horizons, Vol. 13, No. 4 December 1999
	T1	Journal of Accounting and Economics Vol. 25, No. 3 June 1998
	U1	Contemporary Accounting Research Vol. 8, No. 1 Fall 1991
	V1	CA Magazine April 1996
	W1	The Journal of Finance Vol. 46, No. 2 June 1991
	X1	The Journal of Finance, Vol. 55, No. 5 October 2000
	Y1	Financial Analysts Journal, Vol. 55, No. 5 Sept/Oct. 1999
	Z1	Journal of Accounting & Economics, Vol. 15, No. 2/3 June/Sept. 1992

	A2	Accounting Horizons, Vol. 10, No. 3 September 1996
	B2	Accounting Horizons Vol. 10, No. 4, December 1996
	C2	Accounting Horizons, Vol. 10, No. 3 September 1996
	D2	"Profiling From Predicting Earnings Surprise", Brown et al. 1998
	E2	"Enhancing Earnings Predictability Using Individual Analyst Forecasts", Herzberg et al. Summer 1999
	F2	"Do Stock Prices Fully reflect the Implications of Current Earnings for Future Earnings for ARI Firms" Brown et al. 2000
	G2	"The Information Content of Analyst Stock Recommendations" Kirsche et al. 8/8/00
	H2	http://www.findarticles.com/m4PRN/1999_Oct_14/56284107/p1/article.jhtml (printed 2/5/01)
	I2	http://my.zacks.com/?ALERT+www.zacks.com (printed 2/2/01)
	J2	http://www.cianet.com (printed 2/5/01)
	K2	http://www.factset.com (printed 2/5/01)
	L2	http://www.iexchange.com (printed 2/5/01)
	M2	http://www.validea.com/home/home.asp (printed 2/5/01)
	N2	http://www.bulldogresearch.com/default.asp (printed 2/5/01)
	O2	"Predicting Individual Analyst Earnings Forecast Accuracy", Brown et al. 9/29/99

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,050	11/27/2000	Joseph G. Gatto	23449-010	4426
909	7590	06/28/2006		
PILLSBURY WINTHROP SHAW PITTMAN, LLP P.O. BOX 10500 MCLEAN, VA 22102				
			EXAMINER SUBRAMANIAN, NARAYANSWAMY	
			ART UNIT 3628	PAPER NUMBER

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

PILLSBURY WINTHROP SHAW PITTMAN

JUN 30 2006

CL 089070 MT# 0311365
ATTY(S) 368/ DCB/SLT
DUE 4p 28, 2006
DKT BY(1) JN (2) MDP

Office Action Summary

Application No.

09/722,050

Applicant(s)

GATTO, JOSEPH G.

Examiner

Narayanswamy Subramanian

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66,68-88 and 90-94 is/are pending in the application.
- 4a) Of the above claim(s) 39-66,68-88 and 90-94 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None bf:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/10/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to applicant's communication of April 10, 2006.

Applicant's election of invention I drawn to claims 1-38, with traverse is acknowledged by the examiner. Claims 39-66, 68-88 and 90-94 are withdrawn from consideration as being drawn to a non-elected invention. Applicants are respectfully advised to cancel the non-elected claims 39-66, 68-88 and 90-94 in reply to this office action. Claims 1-38 have been examined. The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-38 are rejected because the claimed invention is directed to non-statutory subject matter.

Claims 1-38, the disclosed invention is inoperative and therefore lacks utility.

Claims 1-38 merely recite elements of an apparatus or a system ("means for" corresponds to software program elements and not tangible hardware components) without showing any ability to realize functionality of the recited elements (i.e. functional descriptive material per se) and therefore is rendered inoperative lacking any utility.

Note that a computer (or software program) code cannot by itself perform the underlying function until it is loaded on some computer readable memory and accessed by the computer (or a processor).

Functional descriptive material, per se, is not statutory. This is exemplified in *In re Warmerdam* 31 USPQ2d 1754, where the rejection of a claim to a disembodied data structure was affirmed. Thus a claim to a data structure, per se, or other functional descriptive material, including computer programs, per se, is not patent eligible subject matter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over et al (US Patent) in view of et al (US Patent).

Claim 1, Jennings discloses a computer-implemented system for viewing performance data comprising: a performance view module for viewing performance data for selected contributors (See Jennings Column 31 lines 36-65), performance determining means for determining the performance of selected contributors (See Jennings Column 32 lines 6-10, Column 41 line 34 – Column 43 line 18); and a performance aggregation module for aggregating the earnings estimates performance data for selected contributors according to one or more user-defined criteria (See Jennings Column 43 lines 20 – Column 44 line 53).

Jennings does not explicitly teach earnings estimates performance data.

Official notice is taken that earnings estimates performance data is old and well known in the art. This data helps an investor pick a forecaster and use their forecasts in making investment decisions.

It would have been obvious to one of ordinary skill in the art at the time of invention to include this step to the invention of Jennings. The combination of teachings suggests that investors would have benefited from the forecasts of the forecasters they consider best.

Claims 2-38, Jennings discloses the steps wherein the performance determining means measures and compares contributor performance in absolute terms (See Jennings Column 23 lines 10-21 and Column 31 lines 37-65); wherein contributor performance is measured and compared relative to other contributors' performance (See Jennings Column 31 lines 37-65); wherein contributor performance data comprises user selected error metrics (See Jennings Column 31 lines 37-65, mean, median etc are user elected error metrics); wherein contributor performance data comprises error metrics and wherein contributor performance data is sorted based on user specified criteria (See Jennings Column 31 lines 37-65, sorting is old and well known); means for ranking contributors based on user-selected criteria (See Jennings Column 36 lines 16-19 and claim 31); wherein user-defined criteria comprise one or more of ticker, company name, analyst, CUSIP, and unique ticker (old and well known in Investment art); wherein user-defined criteria comprises one or more of broker, ticker or broker and ticker combination (old and well known in Investment art); displaying, for a selected security, each contributor who made an estimate in the selected fiscal period or periods (See Jennings Claim 31) including displays, for each displayed contributor, summary performance metrics (See Jennings Claim 31); displays, for each displayed contributor, aggregate performance metrics

(See Jennings Claim 29); displays period-by-period performance for a selected one of the displayed contributors, for the selected security for each period in the selected fiscal periods (See Jennings Column 35 lines 47-67); means for enabling a user to elect to filter the displayed list of contributors who made an estimate in the selected fiscal period or periods to those contributors who have a current estimate is interpreted as intended use and hence not given patentable weight; receiving user defined filter parameters for filtering the displayed list of contributors (See Jennings Column 43 line 20 – Column 44 line 35, new clusters are interpreted to include user defined filter parameters); displaying, for a selected contributor, securities for which that contributor has made an estimate (See Jennings Column 31 lines 37-45); displaying, for a selected contributor, securities for which that contributor has made an estimate in a selected fiscal period (See Jennings Column 31 lines 37-65); displaying, for the selected contributor, and displayed securities, aggregate performance metrics (See Jennings Column 31 lines 37-65, and Column 43 lines 20-30); the aggregate performance metrics are displayed for estimates made during a selected time frame and represent an aggregated performance over each period in the selected period (See Jennings Column 31 lines 37-65, and Column 43 lines 20-30); displaying period-by-period performance for the selected contributor, for a selected one of the displayed securities for each period in the selected fiscal periods (See Jennings Column 31 lines 37-65 and Column 35 lines 47-67); means for enabling a user to select a contributor-security pair is interpreted as intended use and hence not given patentable weight; displaying, for the selected contributor-security pair, period-by-period performance metrics for each period in the selected fiscal periods (See Jennings Column 31 lines 37-65 and Column 35 lines 47-67); displaying for a contributor-security pair at least one historical time-series display (See Jennings Column 31 lines

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37-65 and Column 35 lines 47-67); time series display comprises a time-series display of the contributor's estimates and consensus estimates (inherent in Jennings' disclosure); at least one time series display includes a time-series display of the contributor's estimates, consensus estimates, and the actual reported earnings for the security (inherent in Jennings' disclosure); wherein the at least one time series display includes the contributor's estimates, consensus estimates and the actual reported earnings displayed as a vertical bar, with a height indicating the actual reported earnings, on the time axis corresponding to the day the earnings were reported (old and well known); the graphical user interface simultaneously displays one chart for at least one historical time series display, at least one time series display displays of the contributor's estimates and at least one other contributor's estimates for comparison purposes, the at least one other contributor is a best contributor based on predetermined factors, at least one other contributor is a comparison contributor selected by the user, wherein the at least one other contributor is at least one of a high estimate, low estimate or mean estimate (inherent in Jennings' disclosure); wherein the at least one other contributor is an enhanced composite estimate, a time series display of the security's price displayed simultaneously with the at least one historical time series display (inherent in Jennings' disclosure); wherein each contributors' estimate is represented by a line, further comprising means for ensuring that both lines are visible even if the value over a particular time is the same, wherein a first line is displayed as a line with a first thickness and a second line is displayed with a second thickness, selecting criteria to aggregate performance, the criteria including an analyst, a broker or analyst/broker pair (old and well known); wherein the user specified number of periods over which to analyze performance determines how many periods to show in the display of period-by-period data (inherent in

Art Unit: 3624

Jennings' disclosure); a user specified time period prior to the report date, the system determines how far in advance of the report date to include estimates, and means for a user to specify at least the number and type of periods and time window to determine the estimates to be included in an analysis (inherent in Jennings' disclosure).


Response to Arguments

6. Applicant's arguments with regards to restriction of inventions have been considered but are not persuasive.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dr. N. Subramanian
June 12, 2006

GROUP:
2768

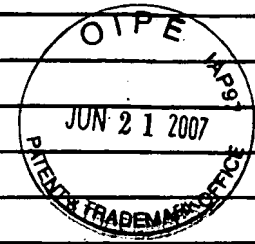
(Use several sheets if necessary)

[illegible][illegible]

N-1	A	https://www.invesars.com/home.asp (printed 3/26/01)
	B	I/B/E/S Internation Inc., Active Express
	C	The Journal of Finance, Vol. XXXIII, March 1978, No. 1
	D	The Predictive Value of Interim Reports for Improving Forecasts of Future Quarterly Earnings, April 1978
	E	Financial Analysts Journal/Jan. - Feb. 1996 "Analyst Forecasting Errors and their Implications for Security Analysis: An Alternative Perspective"
	F	The Journal of Portfolio Management "Analysts can Forecast Accuragely" Brown et al.
	G	Journal of Forecasting, Vol. 2 325-330 1983) "Perspective on Forecasting Research in Accounting and Finance"
	H	Journal of Accounting Research , Vol. 24 Supplement 1986 "Evidence on the Incremental Information Content of Additional Firm Dsisclosures made Concurrently with Earnings" Hoskin et al.
	I	Financial Analysts Journal, Mar./Apr. 1997 "Earnings Suerprise Research: Synthesis and Perspectives" Brown
	J	The Journal of Finance, Vol. LIV, No. 5 Oct. 1999, "What os the Intrinsic value of the Dow", Lee et al.
N-2	K	The Journal of Finance, Vol. XLIX, No. 3 July 1993 "Market Integration and Prive Execution for NYSE-Listed Securities

BEST AVAILABLE COPY

N8	L	The Journal of Finance Vol XLVIII, No. 2 June 1993 "Summing Up"
	M	The Journal of Finance, Vol. XLVIII, No. 2 June 1993 "Yes, Discounts on Closed-End Funds are a Sentiment Index"
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	Q	Accounting Organizations and Society, Vol. 21, No 7/8/October/November 1996
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	T	Journal of Accounting & Economics Vol. 9, No. 2 July 1987
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	Z	International Journal of Forecasting, Vol. 9, No. 3 (1993) pp. 293-436
	AI	"A Journal of Accounting, Finance and Business Studies" Vol. 30, No. 1 March 1994
	BI	Journal of Accounting Auditing & Finance Vol. 9, No. 4 (new series) Fall 1994
	CI	The Journal of the Canadian Academic Accounting Association Vol. 11, No. 1-1 Summer 1994
	DI	The CPA Journal May 1995
	EI	International Journal of Forecasting, Vol. 12, No. 1 (1996) pp.1-192
	FI	Journal of Accounting Research Vol. 25, No. 1 Spring 1987
	GI	International Journal of Forecasting Vol. 7, No. 3 (1991) pp. 257-408
	HI	Journal of Accounting Research Vol. 29, No. 2 1991
	II	The Accounting Review Quarterly Journal of the American Accounting Association Vol. LX April 1985 No. 2
	JI	The Journal of Portfolio Management Vol. 23, No. 4 Summer 1997
	KI	Journal of Accounting Research Vol. 38, No 1 Spring 2000
	LI	The Accounting Review, Vol. 68, No. 3, July 1993
	MI	Journal of Accounting Research Vol. 17, No. 2 Autumn 1979
	NI	Journal of Business Finance & Accounting, Vol. 19, No. 4 June 1992
	OI	Journal of Accounting Research Vol. 23, No. 1 Spring 1985
	PI	The Journal of the Canadian Academic Accounting Association, Vol. 14, No. 2 Summer 1997
	QI	The Journal of Finance, Vol. 46, No. 1 March 1991
	RI	Accounting Horizons, Vol. 11, No. 4 December 1997
	SI	Accounting Horizons, Vol. 13, No. 4 December 1999
	TI	Journal of Accounting and Economics Vol. 25, No. 3 June 1998
	UI	Contemporary Accounting Research Vol. 8, No. 1 Fall 1991
	VI	CA Magazine April 1996
	WI	The Journal of Finance Vol. 46, No. 2 June 1991
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N-1	ZI	Journal of Accounting & Economics, Vol. 15, No. 2/3 June/Sept. 1992



NJ	A2	Accounting Horizons Vol. 10, No. 3 September 1996
	B2	Accounting Horizons Vol. 10, No. 4, December 1996
	C2	Accounting Horizons, Vol. 10, No. 3 September 1996
	D2	"Profiling From Predicting Earnings Surprise", Brown et al. 1998
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	H2	http://www.findarticles.com/m4PRN/1999_Oct_14/56284107/pl/article.jhtml (printed 2/5/01)
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EXAMINER

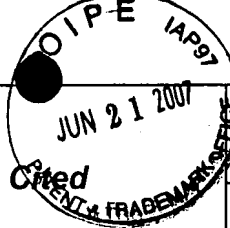
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6/4/06

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited



Application/Control No.

09/722,050

Applicant(s)/Patent Under
Reexamination
GATTO, JOSEPH G.

Examiner

Narayanswamy Subramanian

Art Unit

3624

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,605,615	08-2003	Medina et al.	514/311
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
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	I	US-			
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	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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